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PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐ Declaration  
Submitted  
with Initial  
Filing☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

SPINE 3 0-437

First Named Inventor

Joseph P. Emico

COMPLETE IF KNOWN

Application Number

10/784,598

Filing Date

February 23, 2004

Group Art Unit

3738

Examiner Name

Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the  
invention entitled:INSTRUMENTATION FOR REPOSITIONING AND EXTRACTING AN ARTIFICIAL  
INTERVERTEBRAL DISC FROM AN INTERVERTEBRAL SPACE

(Title of the Invention)

The specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 02/23/2004 as United States Application Number or PCT International

Application No. 10/784,598 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as  
amended by any amendment specifically referred to above.I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for  
continuation-in-part applications, material information which became available between the filing date of the prior application and the  
national or PCT international filing date of the continuation-in-part application.I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 355(b) of any foreign application(s) for patent,  
inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one  
country other than the United States of America, listed below and have also identified below, by checking this box, any foreign  
application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date  
earlier than that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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## DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Customer Number 000530

Direct all correspondence to:

Customer Number  
or Bar Code Label

000530

OR ☐

Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name

Joseph P.

Family Name

Emico

(First and middle (if any))

or Surname

Inventor's  
Signature

Date 10/6/04

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State

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NAME OF SECOND INVENTOR:



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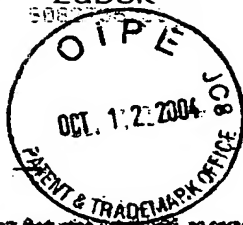
State

ZIP



Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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Rafail		Zubok	
Inventor's Signature		Date	
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
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City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country

SIGN

DATE

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